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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

10/628,773

Filing Date

July 28, 2003

First Named Inventor

Norbert W. Bischofberger

Art Unit

1617

Examiner Name

Shobha Kantamneni

Attorney Docket Number

234.PC2

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) _____

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

Return Receipt Postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Gilead Sciences, Inc.

Signature

Allan N. Kutzenco

Printed name

Allan N. Kutzenco

Date

November 21, 2005

Reg. No.

38,945

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Robin Torres

Typed or printed name

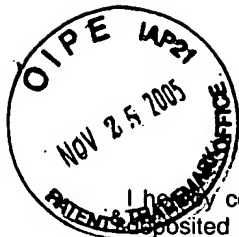
Robin Torres

Date

November 21, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Robin Torres

(Type or print name of person mailing paper)

Date: November 21, 2005

Robin Torres

(Signature of person mailing paper)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of)	Group Art Unit: 1617
)	
Bischofberger et al.)	Docket No. 234.PC2
)	
Serial No: 10/628,773)	Examiner: Shobha Kantamneni
)	
Filed: July 28, 2003)	
)	
Title: NOVEL COMPOUNDS AND METHODS)	
FOR SYNTHESIS AND THERAPY)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO RESTRICTION REQUIREMENT

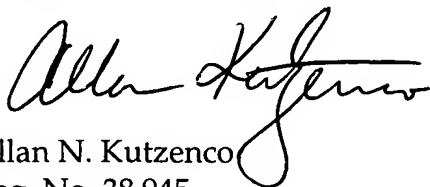
This is responsive to the Patent and Trademark Office Action mailed October 21, 2005.

Restriction was required between two inventions, that of claims 1-10 drawn to formulations (Group I), and claims 11-13 (Group II), drawn to methods of inhibiting neuraminidase.

Applicants elect the invention of Group I without traverse.

This application is now believed to be in condition for an action on the merits.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Allan N. Kutzenko". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Allan N. Kutzenko
Reg. No. 38,945
Gilead Sciences, Inc.
333 Lakeside Drive
Foster City, CA 94404
Telephone: (650) 522-6101
Facsimile: (650) 522-5575

Date: 11-21-05